

Commission Update – July 2020

Prepared By Gillian Carroll, Conservation Compliance Officer

2 Woodcock Lane – G. Carroll inspected property as routine inspection for progress of construction and noticed extensive tree removal on northwest side of property nearest the wetland pocket adjacent to the neighboring property. Five or six mature trees were removed and 3-4 trees were removed within the 20 ft non-disturbance area. A Notice of Violation was sent out on 7/8/2020 requiring a planting plan to be submitted with the condition of completion prior to Conservation Certificate of Compliance for the open permit.

42 Kings Highway South – C. Kelly inspected property on 3/20/20 as a result of a complaint received by the Conservation Department on 3/19/20. The inspection revealed a fence erected without a permit and as it appears, additional construction occurring on the interior of the home and a little on the exterior. On the exterior, was sand/gravel piles, a large hole in the front yard, a roll-off dumpster and “Black Dog Construction Truck”. No one was home when C. Kelly rang the doorbell, but it appears to be mostly interior with the exception of the piles in driveway and unpermitted fence. Issued Notice of Violation on 4/7/2020 for conducting a regulated activity without a permit.

As of **5/15/20** – have not yet received a response from the homeowner.

28 Jennings Court- The Conservation Dept. discovered this violation when the Engineering Department notified the Conservation Department that they received a site plan of an as-built survey conducted in 2018 with a proposal for a new drainage system on March 9th. 2020. The survey indicated the expansion of a driveway, and patio that was never previously approved or proposed. The current property owners were issued a permit in 2013 for an addition and front entry addition however, nothing further. A Notice of Violation was Issued for performing a regulated activity within the 20’ setback area and doing so without a permit.

4/21/20 - Mr. Adam Brodsky contacted Conservation Dept. and is updating the survey and has a drainage plan currently being reviewed by Engineering Department. He will need Health approval for the patio and the driveway expansion and once he receives that approval A. Mozian is including these two items to be amended to the existing open permit from 2013 to legalize them both.

7/6/2020 – The Conservation Department received an application from Oceanview Pool and Patio for the installation of a spa and to legalize the unpermitted patio and driveway expansion.

20 Webb Road - Submittal of a drainage and planting plan by David Vynerib on 4/20/20. The planting plan submitted was for an area of 17’ x 5 and only had three varieties of plants and

two were inappropriate for this particular wetland. G. Carroll suggested a revision and changes to the species of plants as well as to increase quantity. A new revised plan was received on 5/4/20 with a more robust planting plan as it pertains to species but not quantity. A. Mozian and G. Carroll do not feel that the proposed planting plan is sufficient or what the Commission has in mind according to their Show Cause Hearing findings “a planting plan which works to restore the natural state of the wetland and its functions”. The drainage portion of plan does not meet the criteria for the Engineering Department, so they are working to reconfigure the plan. 20 Webb Road will be a work session item for the May 20, 2020 meeting.

6/11/2020 - Conference phone call with Engineering; Amrik Matharu, Ted Gill, Conservation; Colin Kelly and Gillian Carroll and David Vynerib discussing moving forward with the only feasible location of pipe due to Engineering requirements being 30 ft from the property line of 20 Webb Road and 18 Webb Road. David said the homeowners do not want the pipe located in the middle of the yard and he does not have authority to move forward with this plan without their permission.

It was decided David will be given the opportunity to discuss with homeowner the only option of the pipe location and report back to Engineering and Conservation on his authority of executing this plan. Amrik Matharu, Ted Gill and Gillian Carroll are having a conference call with homeowner Jason Heaps (present at the Show Cause Hearing) within the next few days to discuss plans moving forward.

6/30/2020- David Vynerib on behalf of Jason Heaps submitted an updated plan to the Engineering Department that met their requirements for the distance setback from the side yard (30 ft) and sewer easement. The Conservation Commission is now responsible for determining whether they feel the planting plan incorporated on the plan submitted on 6/30/20 meets the conditions of approval from the Show Cause Hearing.

179 Sturges Highway - On April 14, 2020, the Conservation Department conducted a site inspection of the above-referenced property as part of the final inspection process for your currently open permit, WPLE-10786-19, Interior renovations, new master bedroom over garage, new deck and porch. It was apparent from that inspection that several trees, roughly thirteen (13) trees were cut and of those thirteen trees, six to eight (6-8) were cut within the non-disturbance setback area of a wetland. Additionally, it was determined that woodchips and cut tree limbs were also deposited within the wetlands. Although tree removal was permitted in 2009 by Conservation Analyst; Colin Kelly, for two to three trees to be removed approximate to the house, this work was unpermitted and outside the scope of work agreed upon. This work occurred within the wetlands 20 ft non-disturbance area and within the wetlands on your property.

5/15/2020- A Notice of Violation was sent to the homeowner for the activity sited above. The homeowner was aware the violation would be sent following C. Kelly's inspection, however G. Carroll waited to send the violation until an arborist report was produced possibly to verify the vitality of some of the trees that may in fact could have needed to be removed. No report was ever produced.

5/20/2020 - A. Mozian and G. Carroll had a conference call with homeowner discussing specifics of the planting plan would be required as outlined in the NOV. Homeowner Sherif Khalifia hired Alex Moch to do a planting plan which was submitted and approved and being stalled prior to the dry season.

7/6/2020 – Inspected property for installation of quantity and vitality of the approved plants from the planting plan. Plant stability appeared promising, seeded mix was installed and hay incorporated for further stabilization. Approximately 3-4 extra plants installed, and all labelled for ease of inspection. Removal of the Notice of Violation was sent on 7/6/2020.

Open Violations

- **8 Indian Point Road** – 7/6/2020- Homeowner contacted the Conservation Department and are planting to stabilize stream bank and along perimeter of property near stonewall. Once completed, inspection will be performed in hopes of a NOV removal.
- **61 Richmondville Avenue** - Planting planned for the Spring Season – Stabilization has been met on property and waiting for Engineering to confirm roof leaders have been properly installed.
- **8 Lone Pine Lane** - Planting planned for the Spring Season – no noticed of completion yet.

All ongoing remediation is continuing and will be reported once they have met compliance. Please let me know if you have any questions.